HIGH COURT OF UTTARANCHAL AT NAINITAL

(Court's order whether the case is or not approved for reporting)

(Chapter VIII Rule 32 (2)(b)

Description of the case.

W.P. No. 1342 (S/S) year 2003

Shekhar Chandra Pandey

Versus

State of Uttaranchal
and others.

Approved for reporting.

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~~Not approved for reporting~~

Date of decision. 12.11.2003.

Initial of Judge

HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1342 of 2003

Shekhar Chandra Pandey
Junior Clerk, Inter College, Vijaypur, Kanda
District Bageshwar ……. Petitioner

Versus

State of Uttaranchal & others ..……. Respondents

Sri K. N. Joshi, Advocate for the petitioner
Standing Counsel for the respondents.

Dated:-12.11.2003

Hon'ble Rajesh Tandon, J.

By the present writ petition the petitioner has prayed for the issue of a writ, order or direction in the nature of mandamus directing the respondents to release the salary of the petitioner regularly and treat him as a regular employee.

Briefly stated the facts giving rise to the present writ petition are that the petitioner is presently posted as Junior Clerk in the Inter College, Vjaypur, Kanda, District Bageshwar. The College is aided by the State Government and salary to the teachers and other employees is being paid by the State Government. The petitioner has stated that the Director, Education sanctioned 28 posts of various cadre in the College out of which one post is of junior clerk. The petitioner has stated that he has been appointed on the post of junior clerk in the pay

scale 950-1500 by the Committee of Management after obtaining approval from the District Inspector of Schools, Almora after completing due formalities. The Committee of Management has issued a letter of appointment in favour of the petitioner on 27.9.1997. The petitioner has joined the services as a junior clerk in the college on 30.9.1997 and since then the petitioner is working in the college as a junior clerk.

The grievance of the petitioner is that he is working sincerely since 1997, but no salary is being paid to him. The petitioner has stated that he has made representation before the respondents on 9.9.2001 and 10.5.2002 for payment of his salary but the respondents have not decided the representations.

In view of the facts and circumstances of the case the respondents are directed to consider the representations of the petitioner in accordance with law after affording opportunity to the petitioner within three weeks after receipt of the certified copy of this order. The respondents are also directed to pay the salary to the petitioner provided he is working on the post of Junior Clerk.

Subject to the aforesaid directions the writ petition is disposed of. No order as to costs.

12.11.2003 **(Rajesh Tandon, J.)**
Dhyani